

## CHAPTER 81—ENERGY CONSERVATION AND RESOURCE RENEWAL

### SUBCHAPTER I—ELECTRIC UTILITY RATE DESIGN INITIATIVES

- Sec.  
6801. Congressional findings and purpose.  
6802. Definitions.  
6803. Development of electric utility rate design proposals by Secretary; contents; submission to Congress; supporting analysis.  
6804. Funding, administrative, and judicial authorities of Secretary.  
6805. Grants for State consumer protection offices by Secretary.  
    (a) Establishment, operation, and purpose; qualifications for funds.  
    (b) Grants subject to State assurances on funds.  
    (c) Offices established by Tennessee Valley Authority.  
6806. Statement in annual report.  
6807. State utility regulatory assistance.  
    (a) Grants to State utility regulatory commissions and nonregulated electric utilities.  
    (b) Unnecessary requirements prohibited.  
    (c) Application for grant.  
    (d) Apportionment of funds.  
6807a. Energy efficiency grants to State regulatory authorities.  
    (a) Energy efficiency grants.  
    (b) Plan.  
    (c) Secretarial action.  
    (d) Recordkeeping.  
    (e) "State regulatory authority" defined.  
    (f) Authorization.  
6808. Authorization of appropriations.

### SUBCHAPTER II—ENERGY CONSERVATION STANDARDS FOR NEW BUILDINGS

6831. Congressional findings and purpose.  
6832. Definitions.  
6833. Updating State building energy efficiency codes.  
    (a) Consideration and determination respecting residential building energy codes.  
    (b) Certification of commercial building energy code updates.  
    (c) Extensions.  
    (d) Technical assistance.  
    (e) Availability of incentive funding.  
6834. Federal building energy efficiency standards.  
    (a) In general.  
    (b) Omitted.  
    (c) Periodic review.  
    (d) Interim standards.  
6835. Federal compliance.  
    (a) Procedures.  
    (b) Construction of new buildings.  
6836. Support for voluntary building energy codes.  
    (a) In general.  
    (b) Review.  
6837. Omitted.  
6838 to 6840. Repealed.

### SUBCHAPTER III—ENERGY CONSERVATION AND RENEWABLE-RESOURCE ASSISTANCE FOR EXISTING BUILDINGS

6851. Congressional findings and purpose.

#### PART A—WEATHERIZATION ASSISTANCE FOR LOW-INCOME PERSONS

6861. Congressional findings and purpose.  
6862. Definitions.  
6863. Weatherization program.  
    (a) Development and conduct of program by Secretary; grants to States and Indian tribal organizations.

Sec.

- (b) Consultation by Secretary with other Federal departments and agencies on development and publication in Federal Register of proposed regulations; required regulatory provisions; standards and procedures; rental units.  
(c) Failure of State to submit application; alternate application by any unit of general purpose local government or community action agency; submission of amended application by State.  
(d) Direct grants to low-income members of Indian tribal organizations or alternate service organizations; application for funds.  
(e) Transfer of funds.  
6864. Financial assistance.  
    (a) Annual application; contents; allocation to States.  
    (b) Requirements for assistance.  
    (c) Annual update of data used in allocating funds.  
6864a. Private sector investments.  
    (a) In general.  
    (b) Use of funds.  
    (c) Conditions.  
6864b. Technical transfer grants.  
    (a) In general.  
    (b) Conditions.  
6865. Limitations on financial assistance.  
    (a) Purchase of materials and administration of projects.  
    (b) Allocation, termination or discontinuance by Secretary.  
    (c) Limitations on expenditures; exceptions; annual adjustments.  
    (d) Supplementary financial assistance to States.  
    (e) Supplementary financial assistance to grant recipients.  
6866. Monitoring and evaluation of funded projects; technical assistance; limitation on assistance.  
6867. Administration of projects receiving financial assistance.  
    (a) Reporting requirements.  
    (b) Maintenance of records.  
    (c) Audit and examination of books, etc.  
    (d) Method of payments.  
6868. Approval of application or amendment for financial assistance; administrative procedures applicable.  
6869. Judicial review of final action by Secretary on application.  
    (a) Time for appeal; jurisdiction; filing of administrative record by Secretary.  
    (b) Conclusiveness of findings of Secretary; remand; modified findings by Secretary; certification of record.  
    (c) Power of court to affirm or set aside action of Secretary; appeal to Supreme Court.  
6870. Prohibition against discrimination; notification to funded project of violation; penalties for failure to comply.  
6871. Annual report by Secretary and Director to President and Congress on weatherization program.  
6872. Authorization of appropriations.  
6873. Availability of labor.

#### PART B—ENERGY CONSERVATION AND RENEWABLE-RESOURCE OBLIGATION GUARANTEES

6881. Energy resource and renewable-resource obligation guarantee program.  
    (a) Authorization; requirements for guarantees and commitments to guarantee; procedures.

Sec.

- (b) Preconditions for issuance of guarantees and commitments to guarantee.
- (c) Limitations on availability of guarantees; term of guarantees; aggregate outstanding principal amount of obligations of one borrower.
- (d) Limitations on original principal amount guaranteed; revocation of guarantees and commitments to guarantee; conclusiveness of guarantee.
- (e) Information and assurances required prior to guarantees and commitments to guarantee; maintenance and availability of records; fees to borrowers; exceptions.
- (f) Default in payment of principal due under guaranteed obligation; procedures applicable.
- (g) Limitation on aggregate outstanding principal amount of obligations guaranteed; time limitation on guarantees and commitments to guarantee; authorization of appropriations.
- (h) Wages paid laborers and mechanics; labor standards.
- (i) Definitions.

## PART C—MISCELLANEOUS PROVISIONS

- 6891. Exchange of energy information among the States.
- 6892. Annual report to Congress by Comptroller General.
  - (a) Requirements; access to information.
  - (b) Contents of report.
  - (c) Definitions.

## SUBCHAPTER I—ELECTRIC UTILITY RATE DESIGN INITIATIVES

**§ 6801. Congressional findings and purpose**

(a) The Congress finds that improvement in electric utility rate design has great potential for reducing the cost of electric utility services to consumers and current and projected shortages of capital, and for encouraging energy conservation and better use of existing electrical generating facilities.

(b) It is the purpose of this subchapter to require the Secretary to develop proposals for improvement of electric utility rate design and transmit such proposals to Congress; to fund electric utility rate demonstration projects; to intervene or participate, upon request, in the proceedings of utility regulatory commissions; and to provide financial assistance to State offices of consumer services to facilitate presentation of consumer interests before such commissions.

(Pub. L. 94-385, title II, §201, Aug. 14, 1976, 90 Stat. 1142; Pub. L. 95-91, title III, §301(a), title VII, §§703, 707, Aug. 4, 1977, 91 Stat. 577, 606, 607.)

## SHORT TITLE

Section 1 of Pub. L. 94-385 provided: "That this Act [enacting this chapter, section 6327 of this title, section 1701z-8 of Title 12, Banks and Banking, sections 787 and 790 to 790h of Title 15, Commerce and Trade, amending sections 5818, 6211, 6295, 6323, 6325, and 6326 of this title and sections 757, 764, 766, 772, 774, 777 and 784 of Title 15, and enacting provisions set out as notes under sections 6801, 6831, and 6851 of this title, and sections 753, 757, 761, and 790 of Title 15] may be cited as the 'Energy Conservation and Production Act'."

Section 301 of title III of Pub. L. 94-385 provided that: "This title [enacting subchapter II of this chapter] may be cited as the 'Energy Conservation Standards for New Buildings Act of 1976'."

Section 401 of title IV of Pub. L. 94-385 provided that: "This title [enacting subchapter III of this chapter, section 6327 of this title, and section 1701z-8 of Title 12, Banks and Banking, and amending sections 6323, 6325, and 6326 of this title] may be cited as the 'Energy Conservation in Existing Buildings Act of 1976'."

## TRANSFER OF FUNCTIONS

"Secretary", meaning Secretary of Energy, substituted for "Federal Energy Administration" in subsec. (b) pursuant to sections 301(a), 703, and 707 of Pub. L. 95-91, which are classified to sections 7151(a), 7293, and 7297 of this title and which terminated Federal Energy Administration and transferred its functions (with certain exceptions) to Secretary of Energy.

**§ 6802. Definitions**

As used in this subchapter:

(1) The term "Secretary" means the Secretary of Energy.

(2) The term "electric utility" means any person, State agency, or Federal agency which sells electric energy.

(3) The term "Federal agency" means any agency or instrumentality of the United States.

(4) The term "State agency" means a State, political subdivision thereof, or any agency or instrumentality of either.

(5) The term "State utility regulatory commission" means (A) any utility regulatory commission which is a State agency or (B) the Tennessee Valley Authority.

(6) The term "State" means any State, the District of Columbia, Puerto Rico, and any territory or possession of the United States.

(7) The term "utility regulatory commission" means any State agency or Federal agency which has authority to fix, modify, approve, or disapprove rates for the sale of electric energy by any electric utility (other than by such agency).

(Pub. L. 94-385, title II, §202, Aug. 14, 1976, 90 Stat. 1142; Pub. L. 95-617, title I, §143, Nov. 9, 1978, 92 Stat. 3134; Pub. L. 105-388, §5(b)(2), Nov. 13, 1998, 112 Stat. 3479.)

## AMENDMENTS

1998—Par. (1). Pub. L. 105-388 made technical amendment by striking heading and designation which had been inserted by Pub. L. 95-617.

1978—Par. (1). Pub. L. 95-617 substituted "The term 'Secretary' means the Secretary of Energy" for "The term 'Administrator' means the Administrator of the Federal Energy Administration; except that after such Administration ceases to exist, such term means any officer of the United States designated by the President for purposes of this subchapter".

**§ 6803. Development of electric utility rate design proposals by Secretary; contents; submission to Congress; supporting analysis**

(a) The Secretary shall develop proposals to improve electric utility rate design. Such proposals shall be designed to encourage energy conservation, minimize the need for new electrical generating capacity, and minimize costs of electric energy to consumers, and shall include (but not be limited to) proposals which